

**NOTICE OF SIEMENS AG'S MOTION
TO DISMISS THE AMENDED
COMPLAINT**

PLEASE TAKE NOTICE that, pursuant to Federal Rules of Civil Procedure 8(a), 9(b) and 12(b)(6); the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. §§ 78u-4(b)(3)(A), 78u-5(c); and 28 U.S.C. § 1658(b), Siemens AG (also referred to as “Siemens” and “the Company” in these motion papers), upon (1) the Memorandum in Support of its Motion to Dismiss and Exhibit A thereto, (2) the Declaration of Oreste P. McClung and accompanying exhibits, (3) the pleadings and other prior proceedings herein, and (4) such other written and oral argument as may be permitted, will move this Court, before the Honorable John Gleeson, at the United States Courthouse at 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined by the Court, for an order dismissing with prejudice the Amended Complaint dated May 17, 2010, which asserts claims under the Securities Exchange Act of 1934 (“Exchange Act”), and granting such other relief as the Court deems just and proper.¹

Dated: July 23, 2010

Respectfully submitted,

/s/ James P. Gillespie, P.C.

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**pro hac vice* application forthcoming

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¹ This motion is filed on behalf of Siemens AG. Apart from Siemens AG, the Amended Complaint also names as defendants Peter Löscher and Joe Kaeser (the “Individual Defendants”). As far as Siemens AG is aware, the Individual Defendants have not been served with the Amended Complaint.